# **EXHIBIT B**

From: Cynthia Victory < cvictory@jamsadr.com>

**Sent:** Monday, May 22, 2017 4:42 PM

To: Hamish Hume; John Neukom; Grant Margeson; Gonzalez, Arturo J.; Karen Dunn; Kim,

Rudy Y.; Jacobs, Michael A.

**Cc:** QE-Waymo; UberWaymo; BSF\_EXTERNAL\_UberWaymoLit; Ray, Wendy J.

**Subject:** RE: Uber v. Waymo, JAMS Case No. 1110020715

Categories: Waymo

Dear Counsel,

Unless the court directs JAMS otherwise we will abide by the court order which at present is not to compel arbitration.

Thank you,

Cynthia



## Cynthia Victory

Senior Case Manager

160 W. Santa Clara St. Suite 1600 San Jose, CA 95113 **P:** 408.346.0736 **F:** 408.295.5267

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#### U.S. | International | LinkedIn | Twitter

From: Hamish Hume [mailto:hhume@BSFLLP.com]

**Sent:** Friday, May 19, 2017 11:31 AM

**To:** Cynthia Victory <cvictory@jamsadr.com>; John Neukom <johnneukom@quinnemanuel.com>; Grant Margeson

<grantmargeson@quinnemanuel.com>; Gonzalez, Arturo J. <AGonzalez@mofo.com>; Karen Dunn

<KDunn@BSFLLP.com>; Kim, Rudy Y. <RudyKim@mofo.com>; Jacobs, Michael A. <MJacobs@mofo.com>

**Cc:** QE-Waymo <qewaymo@quinnemanuel.com>; UberWaymo <UberWaymo@mofo.com>;

BSF\_EXTERNAL\_UberWaymoLit <BSF\_EXTERNAL\_UberWaymoLit@BSFLLP.com>; Ray, Wendy J. <WRay@mofo.com>

Subject: RE: Uber v. Waymo, JAMS Case No. 1110020715

#### Cynthia -

Uber is appealing the Court's Order denying the motion to compel arbitration. We filed our notice of appeal yesterday. We would therefore ask that JAMS proceed to treat our filed arbitration as appropriate in light of that appeal.

Thank you,

Hamish

**From:** Cynthia Victory [mailto:cvictory@jamsadr.com]

Sent: Thursday, May 18, 2017 2:21 PM

To: John Neukom; Grant Margeson; Gonzalez, Arturo J.; Karen Dunn; Kim, Rudy Y.; Jacobs, Michael A.

Cc: QE-Waymo; UberWaymo; BSF\_EXTERNAL\_UberWaymoLit; Ray, Wendy J.; Hamish Hume

Subject: RE: Uber v. Waymo, JAMS Case No. 1110020715

Dear Counsel,

Since JAMS has received the court order denying the motion to compel arbitration, we will comply with the court order. It is our understanding the matter is not to proceed in arbitration.

Thank you,

Cynthia



## **Cynthia Victory**

Senior Case Manager

160 W. Santa Clara St. Suite 1600 San Jose, CA 95113 P: 408.346.0736 F: 408.295.5267

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## U.S. | International | LinkedIn | Twitter

From: John Neukom [mailto:johnneukom@quinnemanuel.com]

Sent: Monday, May 15, 2017 6:44 PM

To: Cynthia Victory < <a href="mailto:cvictory@jamsadr.com">cvictory@jamsadr.com</a>; Grant Margeson <a href="mailto:grantmargeson@quinnemanuel.com">grantmargeson@quinnemanuel.com</a>; Michelle

Penuliar < MPenuliar@jamsadr.com >

**Cc:** QE-Waymo < <u>qewaymo@quinnemanuel.com</u>>; UberWaymo < <u>UberWaymo@mofo.com</u>>;

'BSF\_EXTERNAL\_UberWaymoLit@bsfllp.com' < <a href="mailto:BSF\_EXTERNAL\_UberWaymoLit@bsfllp.com">BSF\_EXTERNAL\_UberWaymoLit@bsfllp.com</a>; Jacobs, Michael A.

 $<\!\!\underline{\mathsf{MJacobs@mofo.com}}\!\!>; \mathsf{Gonzalez}, \mathsf{Arturo}\ \mathsf{J}. <\!\!\underline{\mathsf{AGonzalez@mofo.com}}\!\!>; \mathsf{Kim}, \mathsf{Rudy}\ \mathsf{Y}. <\!\!\underline{\mathsf{RudyKim@mofo.com}}\!\!>; \mathsf{Ray}, \mathsf{Wendy}$ 

J. <<u>WRay@mofo.com</u>>; <u>kdunn@bsfllp.com</u>; <u>hhume@bsfllp.com</u>

Subject: RE: Uber v. Waymo, JAMS Case No. 1110020715

Dear Ms. Victory,

I write this email on behalf of Waymo LLC (the respondent in JAMS Arbitration No. 1110020715) and in response to your email of April 21, 2017. In your email of April 21, 2017, you wrote that JAMS (i) had reviewed Waymo's objections to JAMS jurisdiction over the subject arbitration matter, (ii) was aware that Judge Alsup would be hearing a motion related

## Case 3:17-cv-00939-WHA Document 511-3 Filed 05/26/17 Page 4 of 6

to that jurisdiction on April 27, 2017, and (iii) requested the parties to advise JAMS regarding the outcome of Judge Alsup's ruling.

Judge Alsup has since ruled. Specifically, he **denied** the motion to compel arbitration filed by the defendants in that case (who are also the named claimants in the subject arbitration matter). I have attached a copy of that order for your reference.

Thank you,
Jay Neukom
Counsel for Waymo LLC

**From:** Cynthia Victory [mailto:cvictory@jamsadr.com]

Sent: Friday, April 21, 2017 3:48 PM

To: Grant Margeson <<u>grantmargeson@quinnemanuel.com</u>>; Michelle Penuliar <<u>MPenuliar@jamsadr.com</u>>

Cc: QE-Waymo <qewaymo@quinnemanuel.com>; UberWaymo <UberWaymo@mofo.com>;

'BSF\_EXTERNAL\_UberWaymoLit@bsfllp.com' < <a href="mailto:BSF\_EXTERNAL\_UberWaymoLit@bsfllp.com">BSF\_EXTERNAL\_UberWaymoLit@bsfllp.com</a>; Jacobs, Michael A.

<<u>MJacobs@mofo.com</u>>; Gonzalez, Arturo J. <<u>AGonzalez@mofo.com</u>>; Kim, Rudy Y. <<u>RudyKim@mofo.com</u>>; Ray, Wendy

J. <WRay@mofo.com>; kdunn@bsfllp.com; hhume@bsfllp.com

Subject: RE: Uber v. Waymo, JAMS Case No. 1110020715

Dear Counsel.

JAMS has reviewed the objection and understands the matter of jurisdiction is being heard on April 27, 2017. Please advise the outcome upon finding out the ruling.

Thank you,

## Cynthia



**Cynthia Victory** 

Senior Case Manager

160 W. Santa Clara St. Suite 1600 San Jose, CA 95113 **P:** 408.346.0736 **F:** 408.295.5267

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#### U.S. | International | LinkedIn | Twitter

From: Grant Margeson [mailto:grantmargeson@quinnemanuel.com]

Sent: Monday, April 17, 2017 10:22 AM

**To:** Cynthia Victory <<u>cvictory@jamsadr.com</u>>; Michelle Penuliar <<u>MPenuliar@jamsadr.com</u>>

Cc: QE-Waymo <qewaymo@quinnemanuel.com>; UberWaymo <UberWaymo@mofo.com>;

'BSF\_EXTERNAL\_UberWaymoLit@bsfllp.com' < <a href="mailto:BSF\_EXTERNAL\_UberWaymoLit@bsfllp.com">BSF\_EXTERNAL\_UberWaymoLit@bsfllp.com</a>; Jacobs, Michael A.

<MJacobs@mofo.com>; Gonzalez, Arturo J. <AGonzalez@mofo.com>; Kim, Rudy Y. <RudyKim@mofo.com>; Ray, Wendy

J. <<u>WRay@mofo.com</u>>; kdunn@bsfllp.com; hhume@bsfllp.com

Subject: RE: Uber v. Waymo, JAMS Case No. 1110020715

Dear Ms. Victory,

Apologies for any confusion. Claimants' counsel was copied on my original email using their team email alias—e.g., <a href="mailto:UberWaymo@mofo.com">UberWaymo@mofo.com</a>. Claimant's counsel previously asked us to use that particular address for email service of documents. I'm copying Mr. Gonzalez individually on this email to confirm.

Best Regards,

**Grant Margeson** 

Quinn Emanuel Urquhart & Sullivan, LLP

415-875-6486 // 50 California Street, 22nd Floor, San Francisco, CA 94111

**From:** Cynthia Victory [mailto:cvictory@jamsadr.com]

Sent: Monday, April 17, 2017 9:22 AM

To: Grant Margeson <grantmargeson@quinnemanuel.com>; Michelle Penuliar <MPenuliar@jamsadr.com>

**Cc:** QE-Waymo < <u>qewaymo@quinnemanuel.com</u>>; UberWaymo < <u>UberWaymo@mofo.com</u>>; 'BSF EXTERNAL UberWaymoLit@bsfllp.com' < BSF EXTERNAL UberWaymoLit@bsfllp.com>

Subject: RE: Uber v. Waymo, JAMS Case No. 1110020715

Dear Mr. Margeson,

Please resend Waymo's Objection to JAMS Jurisdiction to include Claimant's counsel on the emails.

Thank you,

Cynthia



**Cynthia Victory** 

Senior Case Manager

160 W. Santa Clara St. Suite 1600 San Jose, CA 95113 **P:** 408.346.0736 **F:** 408.295.5267

Sign up to join the waiting lists for JAMS Neutrals who may become available on short notice.

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**From:** Grant Margeson [mailto:grantmargeson@quinnemanuel.com]

Sent: Friday, April 14, 2017 6:00 PM

**To:** Cynthia Victory <<u>cvictory@jamsadr.com</u>>; Michelle Penuliar <<u>MPenuliar@jamsadr.com</u>> **Cc:** QE-Waymo <<u>qewaymo@quinnemanuel.com</u>>; UberWaymo <<u>UberWaymo@mofo.com</u>>; 'BSF\_EXTERNAL\_UberWaymoLit@bsfllp.com' <<u>BSF\_EXTERNAL\_UberWaymoLit@bsfllp.com</u>>

Subject: RE: Uber v. Waymo, JAMS Case No. 1110020715

#### Dear JAMS,

I received a bounce back notice for my email below. Please see attached Waymo's Objection to JAMS Jurisdiction, and email below.

## Best Regards,

**Grant Margeson** 

Quinn Emanuel Urquhart & Sullivan, LLP

415-875-6486 // 50 California Street, 22nd Floor, San Francisco, CA 94111

From: Grant Margeson

Sent: Friday, April 14, 2017 4:40 PM

To: cvictory@jamsadr.org; mpenuliar@jamsadr.org

**Cc:** QE-Waymo < <u>qewaymo@quinnemanuel.com</u>>; UberWaymo < <u>UberWaymo@mofo.com</u>>; 'BSF\_EXTERNAL\_UberWaymoLit@bsfllp.com' < <u>BSF\_EXTERNAL\_UberWaymoLit@bsfllp.com</u>>

Subject: Uber v. Waymo, JAMS Case No. 1110020715

Dear JAMS,

Please see attached Respondent Waymo LLC's Objection to JAMS Jurisdiction in the above-referenced matter. Waymo makes this submission without waiving – and without prejudice to – its objection to the jurisdiction of this tribunal over the issues raised by Claimants' improperly-filed arbitration demand.

Counsel of record in the pending Northern District of California litigation are carbon-copied on this email.

Best Regards,

#### **Grant Margeson**

Associate,

Quinn Emanuel Urquhart & Sullivan, LLP

50 California Street, 22nd Floor San Francisco, CA 94111 415-875-6486 Direct 415.875.6600 Main Office Number 415.875.6700 FAX grantmargeson@quinnemanuel.com www.quinnemanuel.com

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